

COUNCIL MINUTES
MARCH 25, 2015

The City Council held a meeting on Wednesday, March 25, 2015, at 5:30 p.m., in the Council Chambers, 10 North Main Street, Cedar City, Utah.

MEMBERS PRESENT: Mayor Maile Wilson; Councilmembers: Ron Adams; John Black; Paul Cozzens; Don Marchant; Fred Rowley.

STAFF PRESENT: City Manager Rick Holman; City Engineer Kit Wareham; City Recorder, Renon Savage; Finance Director Jason Norris; Police Chief Robert D. Allinson; Fire Chief Mike Phillips; Economic Development Director Danny Stewart; Project Engineer Jonathan Stathis; Wastewater Superintendent Darrell Olmsted; Public Works Director Ryan Marshall; Water Superintendent Robbie Mitchell; Golf Division Head Jared Barnes; Street Superintendent Jeff Hunter; Executive Assistant Michal Adams.

OTHERS PRESENT: Tom Jett, Melodie Jett, Dave Jacobson, Jennie Hendricks, Roman Black, Beau Kunzler, Matthew Baker, Joseph Cummings, Robert L. Cummings, Jessica Sury, Scott Garrett, Jeff Lowe, Dana Adams, Shaun Adams, Rachel Smith, Michelle Judd, Paul Washburn, Will Washburn, Ethan Hunt, Rachel Hunt, Parker Allen, Will Geddes, Carter Watson, Shauna Watson, Whitney Yardley, Brecklee Lunt, Bobbi Wilson, Shirley Wilson, Jace Palmer, Kelsie Palmer, Jeff Barnes, Don Scott, Jeff Orton, Bryce Orton, Paul Johnson.

CALL TO ORDER: Councilmember Black gave the opening prayer; the pledge of allegiance was led by Scouts.

AGENDA ORDER APPROVAL: Mayor asked to move item #7 and item #13 before the consent agenda. Rowley asked that item #14 also be removed.

Councilmember Marchant moved to approve the agenda order the noted changes; second by Councilmember Black; vote unanimous.

ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF COMMENTS: ■Marchant – it is Melodie Jett's birthday today, the Council presented her with flowers. ■Black – last week we received an award for the WWTP, we have also received a letter from the Federal Government along that line also. Kudos. Effective May 8th there will be new regulations on the prairie dogs, relaxing the fees for removing them off private property, etc. Thanks to the county partner and those in the community that have helped in this effort. ■Marchant – it is good to see the Scouts here, it is a good opportunity to learn new things and to see how government works. We appreciate the fact that you are here and participating. Ask questions if you have them. We are proud of you and welcome you here. ■Cozzens – I will be out of town next week and would like to be excused. ■Mayor – we finally have a Golf Course sign on Main Street. Also the TV show Hotel Impossible will be filming at the Stratford the rest of the week and are

asking for volunteers. We have also met with all Departments one on one about the budget. The budget process will continue the next few months; we will work through the requests. Jason will now compile the information. ■Business Update – Danny Stewart: Thank you, we have heard from new businesses. Today I welcome Dave Nakken of Parkway Ford that have been here for some time, but have new things happening. Dave Nakken – I appreciate the opportunity to do this to give a report on things we have done in our business. We have been in business 47 years, I have been there 37 years, and it has been a wonderful place to do business. I want to thank Rick, Kit and Jeff with their prompt help in doing additions and other things; we feel we have had good support from members of the City. We couldn't be happier with the support we have had. In 2007 we did a major remodel to the front of our building and then the economy went bad, franchises were lost in Cedar City in 3 of the 4 dealers, and we are recovering with that and working with other dealers to recover the franchises. We have made commitments to improve facilities. Last year we added a body shop and this year a new service facility, this is a better experience and it is quicker. Hopefully it will help us be competitive with businesses down south. One thing I want to bring up is over the last 3 years we met with the other dealers, we began working with UDOT in the 90's and purchased 32 acres and divided those among the other dealers. Due to different opinions we have determined we want to put the property up for sale. It would be a great place for future commercial if you have people come in to the community looking for property. It would be nice if you let people know that property is available. Thanks for the opportunity to be in Cedar City. Black – in addition to the service you provide, I think it would be remiss if we didn't mention your service to the community and the University. ■Employee of the Month, Michal Adams – Danny Stewart: I am happy to represent the EAC in Michael receiving the Employee of the Month. Kit nominated Michael, her work attitude is one of the first things that people notice when they are dealing with Michal. She is positive, helpful & cheerful. She is the first person in Engineering that customers deal with and she gives a good first impression. Michal's reliability is one of her biggest attributes. When given an assignment you can be sure it is done right and completed sooner than expected. She does required duties and ensures other personnel know what they need to do is completing a scheduled task. The competency she has far exceeds the requirements of her position. I also want to thank her, everyone on the second floor, she is the traffic director. ■Review the 2014 Water Report – Jonathan Stathis: this is an annual opportunity to present information about the City's water system. The full report is on the City's web site. See Exhibit "A". We have encouraged conservation and it is going fairly well. On the power costs, we have lost some flow from the canyon so we have to pump more from the wells and so the power costs go up. Black – what does it cost to pump a foot if we drop a foot? Jonathan – about \$500 per year. Rowley – the power rates have gone up a lot also. Cozzens – when we bring water from the West Dessert we will pump 650 feet. Adams – do you think we need to put more restrictions in place this year? I see where places that have not had water restrictions before are putting them in place this year. Robbie - our wells are ready to go, in terms of ability to deliver water we are in good shape. Black – could we do odd and even days? Jonathan – we did that a few years ago. Kit – it was about 6 years ago. But we have more wells in place now. Jonathan – the secondary system helps also. Marchant – the big thing is still to conserve water. Mayor – last week at the Utah Transportation Commission Meeting, UDOT

awarded Jonathan a silver barrel award which usually doesn't go to someone outside of UDOT for the water tank project. Jonathan – it was really for the whole City for helping them out and it was good for the City as well.

PUBLIC COMMENTS: ■Don Scott, Cedar City resident in Canyon Ridge Development. I talked in January about the Helicopter school. I know we had an article in our paper last Friday, it is a two sided issue, I love the school and opportunity. I said I thought it was a great program in the wrong location. After the article, I am not sure it is a great program. There was an article in the LA Times, concerns if the government is wasting money it is good to come to Cedar City, but we should not waste government money. Over a year ago, they talked about moving the helicopter training to the “Y”, was there a reason? Don – there was not sufficient property to do what they wanted to do. They are continuing to search for another location to use as a station for takeoff and landings. Don – with their growth, they brought on a few hundred more students. The flight status has not got better; they are now going to the East toward Cedar Breaks also. Also you were going to see if they could move their training to the other side of Three Peaks that would alleviate a lot of nuisance on the north end. Marchant – that is part of the issue with relocation. I am not up to date. Mayor – we have met with them, they are working on different patterns, and we have brought up going further west, some of that has been happening. There are patterns to avoid other traffic such as SkyWest. From the other air carriers, they are working, but have only been implemented for a few weeks. Don – has it been discussed for them to go West before they go to Parowan. Mayor – they are supposed to follow I-15. Don – that is not far enough. They say each student fly's 2000 hours. Marchant – they will not graduate anywhere close to that. Don – if they have 200 hours, it is 199 is too many. Marchant – there is a patten from the other carriers, some go to the east and some to the west. Some of those changes have been made. Will it change when they go out west, we hope so. Some of the things doing on our airport will be located to another area, but it won't solve all the problems. When one problem goes, another comes in. We hope to come to a consensus with a mutual understanding on what is going on. Don – I have been approached to do a petition; there are a lot of people that don't like it but are silent. Have they selected an area? Mayor – the County Commissioners said they were looking but did not say a specific spot. Marchant – there is Cedar City, SUU and Upper Limits Aviation, so we have to meet requirements for the school, it runs deeper. Don – I would like the City to expedite the relocation. Marchant – I appreciate your input and insight. We are advocates for our citizens. The Mayor meets on a regular basis. Noise does not immediately go away. Don – I am sure it is a great revenue stream for Cedar City and SUU and I want to see the community grow. Also – in the minutes last month they were talking about shooting and discharging firearms, can we post a sign at the entrance of the canyons that there is no discharging of firearms? When will we see signs? Jason – if the Thunderbird Garden is approved, we will phase into the no shooting. We are going to try to phase in getting everyone on the same page. Don – will there be a second sign in Stephens Canyon? Rick – we could post a sign there as well.

CONSIDER A MEMORANDUM OF UNDERSTANDING FOR THUNDERBIRD GARDENS TRAIL WITH THE BLM – DAVE JACOBSEN: Dave – I appreciate you

talking with me on this subject. The signs for "no shooting" are the number one thing. If we are approved we will hopefully signs up in two weeks. We want mountain bike, non-motorized trails onto the BLM. Rick – a few discussion items, one is both the BLM and City want to make sure Thunderbird Gardens is used as intended which means we need to change behavior such as shooting. We have addressed this with UDOT for Hunter Safety to do their shooting. The other thing we need to address is some of the dumping that occurs. We talked about how effective signage would be; many will observe the signs and pay attention. We would like to put something in the Mayor's newsletter to tell people what we are doing. The other option is putting a gate between hole #10 and tee-11 to try and temporarily get people used to having that area closed down at night and post signs that shooting and dumping is prohibited. Jared has volunteered his staff at the Golf Course to open the gate and close the gate, but they don't need to be sweeping people out. I don't know how to address if we shut it and people are locked in. Cozzens – I am opposed to a gate. Rick – if we use a gate it would be temporary to help with behavior change. Marchant – try the signs first. People will find a way around if they want to be in there. Chief Allinson – I would like to make a suggestion, I think I can get some alcohol money for overtime shifts because of the nature of the parties to help with public understanding. If that doesn't work come back to the gate concept. With the current staff I am not sure I will have staff to do it without overtime shifts. Black – were we ok with the rest of the agreement. Rick – we have talked about the sign on Main Street, I have not got confirmation from UDOT. As far as maintaining the road, it will take effort when it is wet; we have not committed to do a lot of effort on the road. The improvements will be done over time. Dave – this year is the beginning, we are only looking at 7 miles of trail, over time we are thinking 30-40 miles of trail. This is the beginning, starting with the trail head and trail system and improves each year after that.

Councilmember Black moved to approve the MOU with the BLM for the Thunderbird Gardens Trail with the conditions on the sign; second by Councilmember Rowley; vote unanimous.

DISCUSSION ON ADDING NON CITY ENTITIES TO URMMA – PAUL

JOHNSON: Paul, Executive Director of URMMA. We are a governmental entity serving Utah municipalities. There has been a request by a Special Service District to join our association and to do that would require an amendment to the interlocal agreement which has to be approved by all cities and it has to be approved 100%. They asked me to approach each council to see the feel. I am not looking for a final decision; if we decide to move it forward we will come with a resolution. There are Fire district that has asked to join. There are also water, sewer and dispatch special service districts. As a general rule they don't have the liability that a city does. They don't have police departments that are the largest liability. Occasionally a special service district has a law suit, but that would not affect other cities because of the recapture. The only concern is they have a large loss we cap the loss at 125% of your premium and anything over that would be handled by the URMMA reserves before it hits the reinsurance point. Most likely no effect on you unless we had several special service districts which would be a reduction in cost. We don't raise your premium if we use our reserves. Rowley – in New Harmony they had a large fire where homes and barns were lost and the Forest Service

was sued, that could be multitudes more. Paul – fire fighters from a municipal entity are immune from suit if they can't put a fire out. There is still liability with a fire department and water and sewer districts. Marchant – how are they covered now? Paul – they aren't, they have not equipment or firefighting personnel, they are covered by Enterprise City. If we open the door to this district we are open to others. This board will not accept any and all comers. If you don't have a risk management philosophy you can't come to this association. We go through inspections and trainings, if not, go with standard insurance. However there are no guarantees. Black – if we accept this do you automatically accept all? Paul – no, the Board will still decide by looking at a lot of information. The interlocal agreement would only be amended this one time to include special service districts. I am just here to see if it is worth pursuing. The Council said it is something they would consider.

CONSENT AGENDA: (1) APPROVAL OF MINUTES DATED MARCH 4 & 11, 2015; (2) APPROVAL OF BILLS DATED MARCH 23 & 24, 2015; (3) APPROVE BOULEVARD PLAZA PUD PHASE 2 VICINITY PLAN – JONATHAN STATHIS/BOB PLATT; (4) APPROVE FINAL PLAT OF THE VILLA'S AT SUNSET CANYON, PUD PHASE 2 – PAUL BITTMENN/TIM WATSON; (5) APPROVE AMENDMENTS TO THE CROSS HOLLOW EVENT CENTER POLICY & PROCEDURES – LARRY OLDS; (6) APPROVE THE LIFT STATION SCADA INSTALLATION PROJECT FOR THE WASTEWATER TREATMENT PLANT IN THE AMOUNT OF \$139,000 – DARRELL OLMSTED:

Councilmember Adams moved to approve the consent agenda items 1 through 6 as written above; second by Councilmember Cozzens; vote unanimous.

CONSIDER A REQUEST TO WAIVE CITY FEES FOR THE IRON COUNTY SEARCH AND RESCUE CARNIVAL – ROYCE HOUCHEN: Rowley – if we do it for one we have to do it for all. If they help our police and use our dirt we don't charge them. There was discussion on the \$300 per day. Black – Chief is there concern with the service they help with you? Chief – there are very supportive of us if we are in need of help. Marchant – Search and Rescue is providing a service and we don't want to penalize them, but there are a lot of good causes and because of the nature of what they are doing can apply just as they have. Once we start a fee waiving aspect we start a precedent. I would like a reduced fee. Cozzens – what other entity that help public safety would come? Marchant – just other causes. Chief – didn't we waive fees for the Children's Justice Center. Rowley – that is costing light and heat, this is just a piece of dirt. Chief Phillips – they help with fireworks and closing roads for events. Mayor – we awarded money from the Community Promotions to pay the Children Justice Center fees. Rick – Rowley makes a good point, we are incurring cost at Heritage Center, this location we are not providing a lot other than a place to do it. Marchant – there are no expenses incurred, so do we do it based on venue or something else. Cozzens – I can't see what other groups help with public safety, it is a good return on our investment. Marchant – I don't object, but if we are saying that spot of ground we are not doing anything with. Rowley – most of the time the struggle is Heritage Center because there is cost. If a group wants to use a bare piece of dirt and help us out in other areas, then let them come. Rick – each

particular one we will evaluate how much the PD may have to be involved. Rowley – there is a minimal amount of coverage for that. Chief – the activity itself doesn't involve much, sometimes the employees they bring in involves us.

Councilmember Rowley moved to approve waiving the business license fee for the Search & Rescue carnival for their involvement with public safety; second by Councilmember Cozzens because of the nature of the situation; vote unanimous.

CONSIDER A RESOLUTION ADOPTING THE CEDAR CITY SANITARY SEWER MANAGEMENT PLAN – DARRELL OLMSTED: Darrell – this is a requirement of the State of Utah to adopt a formal written program for the operation and maintenance of the sanitary sewer management.

Councilmember Cozzens moved to approve a resolution adopting the Cedar City Sanitary Sewer Management Plan; second by Councilmember Marchant; vote as follows:

AYE: 5
NAY: 0
ABSTAINED: 0

CONSIDER BIDS ON WASTEWATER TREATMENT PLANT LED LIGHT RETROFIT PROJECT – KIT WAREHAM: Black will abstain from voting on this item.

Darrell – this is to retrofit the lights in the current facility and will match the new lights in the expansions. Marshall Evans is low bid just under \$63,727.85. We will receive an incentive from Rocky Mountain Power.

Councilmember Cozzens moved to approve the bid from Marshall and Evans for the LED Light retrofit project; second by Councilmember Marchant; Aye – 4, Abstained 1 John Black.

CONSIDER AN ORDINANCE ADOPTING THE CITY'S PERSONNEL & PURCHASING POLICIES – PAUL BITTMENN: Mayor – this is because the State said the policies need to be adopted as an ordinance.

Councilmember Black moved to approve an ordinance adopting the City's Personnel & Purchasing Policies; second by Councilmember Adams; roll call vote as follows:

Ron Adams	-	AYE
John Black	-	AYE
Paul Cozzens	-	AYE
Don Marchant	-	AYE
Fred Rowley	-	AYE

**CONSIDER AN ORDINANCE AMENDING CEDAR CITY ORDINANCE 27-2
DISCHARGING FIREARMS WITHIN THE CITY LIMITS – PAUL BITTMENN:**

Councilmember Adams moved to approve an ordinance amending Ordinance 27-2, discharging firearms in the City limits; second by Councilmember Cozzens; roll call vote as follows:

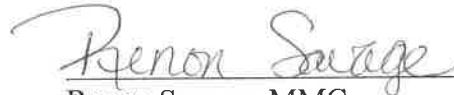
Ron Adams	-	AYE
John Black	-	AYE
Paul Cozzens	-	AYE
Don Marchant	-	AYE
Fred Rowley	-	AYE

UPDATE ON SIGN ORDINANCE – RICK HOLMAN: This item was pulled from the agenda.

APPOINT A MAYOR PRO TEM FROM MARCH 28 THROUGH APRIL 10:

Councilmember Marchant moved to appoint Councilmember Black as the Mayor Pro Tem from March 28 through April 10; second by Councilmember Cozzens; vote unanimous.

ADJOURN: Councilmember Marchant moved to adjourn at 6:58 p.m.; second by Councilmember Black; vote unanimous.

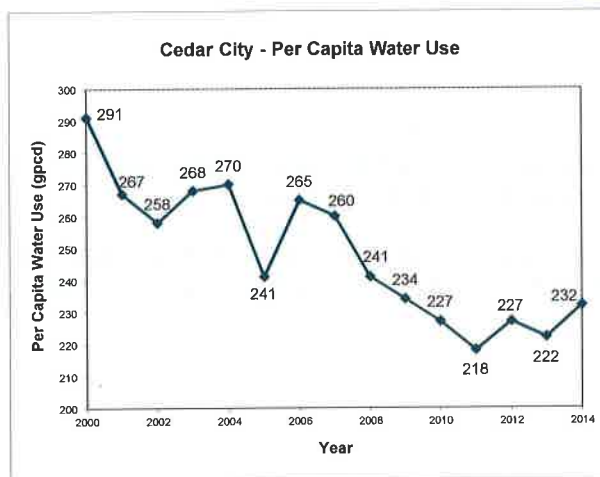

Renon Savage, MMC
City Recorder

Cedar City 2014 Water Report

Cedar City
Festival City USA
Utah

Per Capita Water Use

2014 population estimate = 29,162
2014 per capita water use = 232 gpcd



Water Rights and Usage

- 1 ac-ft of water rights was acquired in 2014 and the City now owns a total of **19,694 ac-ft**.
- Total amount of water used by City in 2014 was **7,565 ac-ft** (38% of total water rights were used).
- 40-year outlook amount of water rights is **18,616 ac-ft** for a projected population of **71,635**.

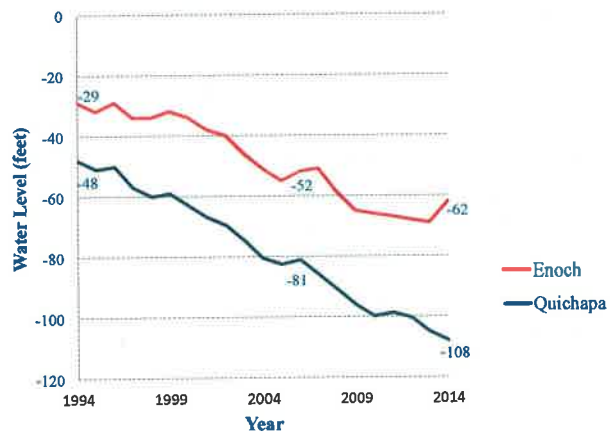
Power Costs

- Total power costs for pumping in 2014 were **\$651,672**. (Total power costs in 2000 were \$259,523.)
- Power costs have increased from \$0.15 in 2000 to **\$0.33** per 1,000 gallons in 2013. This represents a 120% increase.

Aquifer Trends

- Water level in the aquifer west of Quichapa Lake has decreased from 48 feet in 1994 to 108 feet last year. This is an average decline of about 3 feet per year.
- From 2013 to 2014, the water table in the Quichapa area dropped 3 feet.

Cedar Valley Aquifer Levels



Summary of Water System Projects

Water Projects completed in 2014

- Cedar Canyon Water Tank replacement
- Chain-link security fences at Quichapa Wells #5 and #6
- Equipment storage bay enclosure at Public Works yard
- 1700 West waterline from 325 N. to 400 N.
- 100 West waterline replacement from 400 N. to Coal Creek Road

Water Projects under construction or planned for 2015

- 400 North/I-15 waterline replacement (under construction)
- Re-drill Quichapa Well #1
- 200 West waterline replacement from 400 N. to Coal Creek Road
- Right Hand Canyon Springs collection box upgrade
- Cathodic protection on the Quichapa South waterline
- Purchase spare motor for Quichapa Well #5

Update on Water Situation

- Snowpack in SW Utah is currently at 54% of normal. (Webster's Flat is at 48% of normal)
- 14" of snow currently at Webster's Flat. (Normal is about 29")
- The dry winter could cause a loss of flow from some of the mountain springs. Also, there will likely be a larger decrease in the valley aquifer levels over the next few years.
- City currently has a restriction in place – no outside watering from 8:00 AM to 6:00 PM.
- Conservation is encouraged through the water rates and information can be sent out in the utility bill.